

Atty Dkt. No.: SERA-001
USSN: 10/817,319**REMARKS****Formal Matters**

Claims 1-16 are pending. Claims 17-20 are cancelled without prejudice to their later pursuit. Claims 6, 9, 10 and 15 are withdrawn. Their rejoinder and examination as provided by 37 CFR §1.141 is hereby requested in the event of any claim generic or linking claim thereto being allowed. Applicant asserts that claims 1-4, 7, 11-13 are generic to all of the species. Claims 1, 2, 4 and 7 are amended; no new matter is added.

Claim Rejections – 35 U.S.C. §103

Claims 1-16 stand rejected over the Kickstart Article in view of USPN 6,202,971 to Duncan. In rejecting the claims, Duncan was relied upon (in part) because "base 32 is configured to slidably receive the pin 34, and the spring 38 is positioned to bias the depression of the pin (see column 5, 1-15)." As Applicant interprets the cited text, the spring 38 in the reference is positioned to force the plunger into plunger hole 30 and receptacles 40, to assume a locked position. To release the plunger, the pin must be pulled outward by manual means against the force of the spring.

The amendments to claim 1 directed to the manner in which the spring and pin interact are intended to clearly distinguish over such operation, removing the basis for rejection. In Duncan, the position of the spring is such that the spring not only aids – but is alone responsible for – depression of the pin into its locking receptacle. As now clarified, the spring of claim 1 pushes in the opposite direction. (It pushes against pin depression rather than force such depression as in Duncan.) This is why Applicant's system is self-releasing upon further compression of the fork.

In contrast, Duncan discloses a self-locking system. Therefore, modifying Kickstart by Duncan does not provide a system meeting the limitations of claim 1. It is not a system that would ever self-release (i.e., one in which a pin/spring combination as provided in Duncan would be spring-biased to return to an unlocked position). Rather the spring-loaded pin employed would maintain the system locked, until released by a user – just as in Duncan.

In essence, Duncan teaches a self-locking pin interface, while applicant describes a self-releasing interface. Applicant's invention does so by using a pin with a spring set to provide force resisting and restoring pin compression that acts when the conditions

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providing for lateral lockdown of the pin are released. Duncan is self-locking by providing a pin with a spring set to provide force driving for urging pin receipt within a receptacle.

Thus, the referenced and claims structures work in an opposite fashion. Therefore, applicant asserts that not only is amended claim 1 distinguished from any rejection relying on Duncan, but any reliance on the teaching of Duncan is inappropriate because the reference, in fact, teaches away from Applicant's approach.

Moreover, it is asserted that the Kickstart article and Duncan are not properly combined in the first place. It is respectfully asserted that one with skill in the art would not be motivated to look to Duncan for improving the auto-release features in Kickstart. Duncan simply has nothing to teach in this regard. Duncan merely teaches an auto-locking pin setup. An auto-locking pin arrangement and a self-releasing hook are by no means alternate equivalent structures. Further in this vein, it is also noted that the Examiner has expressed no motivation Applicant can discern for combining the references. As such, no *prima-facie* case has been made in support of the rejection as previously written.

Notwithstanding the above, claim 1 has been further amended to require interference of the pin and interface member in a direction with at least a component of such interference (i.e., impassable contact) perpendicular to an axis of the pin. An example of the required interface is more particularly described in claim 2 with respect to the pin groove and end, and the interface member ledge.

It is respectfully asserted that none of the amended claim features in claim 1 are taught or reasonably suggested by Duncan. The reference requires a cylindrical pin that rides in a slot and slides into two or more blind holes to secure position of a seatpost. No feature on the pin grasps, claps or otherwise interfere with another feature to maintain the position of the pin within its hole. Rather, a spring is relied upon to keep the pin seated in place until manually withdrawn as discussed above. To remove it, an attached knob, cable, etc. is used to pull the pin from its seat. Claim 1 clearly requires a different sort of interface in that compression is first required to free the respective members from their engagement before pin withdrawal is possible.

Accordingly, claim 1 and the claims incorporating the same are believed to be in condition for allowance. Additional grounds for allowance for selected dependent claims are also presented below.

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Regarding claim 2, it has been amended to more clearly recite an exemplary relationship required between the pin and interface member. Recess 36 in Duncan cited by the Examiner does not even contact element 40. Therefore, it cannot present such an interlocking relationship as required by claim 2, as amended.

Regarding claim 4, it has been amended to more clearly require that coil spring not only simply reside in some zone between the button head and base, but rather that it contact each. In Duncan, or any modification based upon the reference, this is not possible without abandoning the inward spring bias approach (opposite from that which Applicant claims) that is the basis for that device's operation.

Regarding claim 7, it has been amended to more clearly explain the difference between an extension from the base and what the cylindrical body shown in Duncan, as relied upon by the Examiner for the rejection.

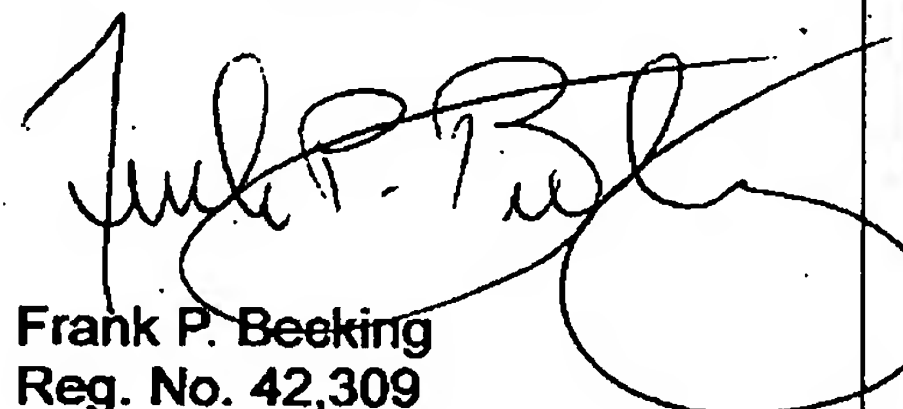
In view of the foregoing, withdrawal of the rejections and allowance is therefore respectfully requested.

Conclusion

Applicants submit that all of the pending claims are in condition for allowance, which action is requested. If the Examiner should find that a telephone conference would expedite the prosecution of this application, please telephone the undersigned at 650-906-1137.

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Respectfully submitted,



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